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1 P. OREZIAK
 2 Q. And what does that indicate?
 3 A. The person that went to the job
 4 site and took the measurements.
 5 Q. And then the next entry is
 6 template date.
 7 A. Yes.
 8 Q. Do you see that?
 9 A. Yes.
 10 Q. And that indicates when the
 11 entries were made?
 12 A. Yes.
 13 Q. And the next entry below that
 14 there's an installation date which indicates
 15 the installation?
 16 A. Yes.
 17 Q. And then there's an entry for yard
 18 salesmen.
 19 A. Um-hum.
 20 Q. That is blank here. What would
 21 that typically -- if anything, what would that
 22 typically indicate?
 23 A. It would indicate that the
 24 customer just called us in with the number.
 25 And we started fabricating.

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1 P. OREZIAK
 2 Q. And would anyone's name go there
 3 typically?
 4 A. Sometimes if a customer comes back
 5 and they began to take a look at the slab
 6 again, pick out a specific area, then the
 7 salesperson would assist them with that and we
 8 put their name. So if there's any question
 9 from the cutter they can always ask the
 10 salesperson.
 11 Q. And across from that there's an
 12 entry for cutter.
 13 A. Um-hum.
 14 Q. And who is that?
 15 A. It's the person cutting.
 16 Q. How many cutters are there at the
 17 South Plainfield location?
 18 A. Right now three.
 19 Q. And then looking at the bottom of
 20 this page there's a small table headed Work
 21 Order Logs. Do you see that?
 22 A. Um-hum.
 23 Q. What are those?
 24 A. Some notes the guys sometimes
 25 make.

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1 P. OREZIAK
 2 Q. Who that is Barbara Wojtach?
 3 A. She's the bookkeeper.
 4 Q. And I see also that Peter Bucko
 5 made some entries here as well.
 6 A. Yes.
 7 Q. Do all salespeople have access to
 8 make comments on the work order logs?
 9 A. They could, yes.
 10 Q. Is that a regular part of what
 11 they're expected to do?
 12 A. Not always. If the customer is
 13 not specific and they just want a standard
 14 estimate then no notes are made.
 15 Q. There are also some -- some of
 16 these notes appear to be in Polish; is that
 17 correct?
 18 A. Yes.
 19 Q. And looking at the -- let's say
 20 the 11/30/07 note, can you tell me what that
 21 says?
 22 A. That we did a removal of the
 23 countertop and a full back splash.
 24 Q. And then the entry on 11/28?
 25 A. That the customer agreed on the

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1 P. OREZIAK
 2 full removal of the countertop for \$250.
 3 Q. And when you remove a countertop,
 4 what does that include?
 5 A. Removing the countertop, of
 6 course. And then disposing it.
 7 Q. Disposing it means taking it off
 8 the person's property? The consumer's
 9 property?
 10 A. Yeah.
 11 Q. And then the next entry on 11/28,
 12 could you tell me what that says?
 13 A. That we have the coupon for the
 14 sink.
 15 Q. And is that typically an entry
 16 that's made, to your knowledge?
 17 A. Sometimes.
 18 Q. Is it part of the policy or
 19 procedure at All Granite?
 20 A. Not always.
 21 Q. The 11/20 -- the next one I can
 22 read but the last one on 11/27 could you tell
 23 me what that is?
 24 A. Peter wrote down that they're
 25 using a D-shaped sink.

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1 P. OREZIAK

2 Q. And the last two words, what does
3 that mean?

4 A. That we had the coupon.

5 Q. Then looking at the next page, AGM
6 0052, could you tell me what this is?7 A. This is a typical layout from a
8 template. We have the drawing, some
9 information on the side. Measurements.
10 Overall measurements for me to price out,
11 basically.12 Q. And, again, it looks like there's
13 some Polish on the table portion on the left.
14 Can you read that or see that?15 A. On top we have the work order.
16 Then we have the material showing the number.
17 And then it's written confirm, just to
18 double-check with the customer if that's
19 actually the color. Then we have the edge,
20 also confirm because that wasn't quite sure --
21 quite certain at the moment. No back splash.
22 A D-shaped sink, confirm. Cooktop cutout, no.23 Then we have a note that the
24 customer wasn't present at the time of
25 measuring. It was the grandmother. And just

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1 P. OREZIAK

2 double-check with the homeowners. First
3 floor. Wooden old stairs. We had the removal
4 of the countertop. And then we have the
5 drawings signed by Peter. We have the amount
6 and form of the deposit and the customer's
7 signature.8 Q. And then looking at the last page
9 of this document, Bates stamped AGM 0053,
10 could you tell me what this is?11 A. This is an invoice showing the
12 color, edge, installation date, total price,
13 deposit and balance. Just the standard
14 invoice showing everything paid in full.15 Q. Now, is it correct to say that All
16 Granite offers quicker turnaround with respect
17 to payments by cash?

18 A. Yes.

19 Q. And why is that?

20 A. Because we don't have to wait for
21 the check to clear.22 Q. So if I paid you by check if I was
23 your customer, you'd wait for the check to
24 clear before you installed the sink -- or
25 installed the countertop? Sorry.

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1 P. OREZIAK

2 A. Yes. It takes a couple days
3 longer because we wait for the check to clear.4 MR. MALTBI: I'd like to have
5 marked as Plaintiff's Exhibit 7 a
6 two-page document Bates stamped ART
7 00241 through ART 00242.8 (Plaintiff's Exhibit 7, document
9 bearing production numbers ART 00241
10 through ART 00242, marked for
11 identification as of this date.)

12 BY MR. MALTBI:

13 Q. Mr. Oreziak, I'd like you to take
14 a look what's been marked as Plaintiff's
15 Exhibit 7 and could you tell me if you've ever
16 seen a document like this before?

17 A. Not until Robert showed it to me.

18 Q. And when did Robert show it to
19 you?20 A. The first time I came -- the
21 second time -- when I came down over here, he
22 asked me the same question, did I ever see
23 this before.

24 Q. And --

25 A. My answer was no, I never saw that

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1 P. OREZIAK

2 before.

3 Q. When was that conversation with
4 Robert?

5 A. Thursday.

6 Q. Then just going back to -- I
7 believe I asked you earlier whether you looked
8 at any documents in connection with your
9 testimony today. I thought you said no.10 Besides this document, are there
11 any other documents that you looked at in
12 connection with your testimony today?

13 A. No, no. No.

14 Q. Okay. And just to clarify, so
15 you've never seen a document like this before;
16 is that correct?

17 A. Yes.

18 Q. And that would hold true for both
19 South Plainfield and you've never seen a
20 document like this in Ridgely Park as well;
21 is that correct?22 A. No. I've never seen a document
23 like this.24 Q. Do you know why an All Granite
25 customer was given this document at the

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1 **P. OREZIAK**
 2 **Ridgefield Park showroom?**
 3 **MR. CHIODO:** Objection. You can
 4 answer.
 5 A. No. I don't know why they
 6 would -- I don't know if they would receive
 7 something like this at the Ridgefield Park
 8 office.
 9 **Q. Do you know if a document like**
 10 **this was ever made available at the South**
 11 **Plainfield showroom?**
 12 A. It was not made available. I've
 13 never seen this before.
 14 **Q. Do you know why a representative**
 15 **of Artisan testified that he saw this document**
 16 **in the South Plainfield showroom?**
 17 A. No.
 18 **Q. Is there a receptionist at the**
 19 **South Plainfield location?**
 20 A. No.
 21 **Q. How are phone calls handled?**
 22 A. Everybody picks up -- could pick
 23 up the phone.
 24 **Q. And if a customer was calling with**
 25 **respect to an installation issue, would they**
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1 **P. OREZIAK**
 2 **call and end up with the person who opened**
 3 **their order or would it be handled some other**
 4 **way?**
 5 A. It depends on what type of issue.
 6 But, no, anybody could actually help. If
 7 there's any basic question.
 8 **Q. And specifically with respect to**
 9 **complaints about installation issues, who**
 10 **handles those calls?**
 11 A. It used to be Peter. Now it's me
 12 and Daniel.
 13 **Q. And when was that change made?**
 14 A. Couple weeks back.
 15 **Q. And do you know why that change**
 16 **was made?**
 17 A. No particular reason.
 18 **Q. Was Peter not doing a good job**
 19 **handling the complaint calls?**
 20 A. Actually, to improve basically the
 21 service calls because if Peter took the call
 22 he would still have to consult with me so to
 23 get a faster response to the customer I would
 24 just take the calls directly.
 25 **Q. Does All Granite have any means of**
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1 **P. OREZIAK**
 2 **keeping track of complaints?**
 3 A. No.
 4 **Q. Are you aware of the All Granite**
 5 **South Plainfield location ever receiving any**
 6 **calls specifically with respect to the sinks**
 7 **that are installed by All Granite?**
 8 A. Sometimes. Not in regard to the
 9 sink itself. Sometimes it's possible that not
 10 enough silicon was put around the sink.
 11 **Q. Anything else? Any other issues?**
 12 A. No.
 13 **Q. Do you recall any calls to South**
 14 **Plainfield with respect to obtaining**
 15 **accessories for their sinks?**
 16 A. No.
 17 **Q. Do you recall any customers**
 18 **calling to ask about the manufacturer or brand**
 19 **name of the sink that was installed?**
 20 A. I don't recall.
 21 **MR. MALTBIIE:** We can mark as
 22 Plaintiff's Exhibit 8 a document Bates
 23 stamped AGM 172 through AGM 178.
 24 (Plaintiff's Exhibit 8, document
 25 bearing production numbers AGM 172
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1 **P. OREZIAK**
 2 through AGM 178, marked for
 3 identification as of this date.)
 4 **BY MR. MALTBIIE:**
 5 **Q. Mr. Oreziak, this was a document**
 6 **produced by All Granite with respect to a**
 7 **customer named Charles Nagle.**
 8 **Do you see that?**
 9 A. Yes.
 10 **Q. Have you ever seen this document**
 11 **before?**
 12 A. I don't think I have.
 13 **Q. Do you recall ever assisting a**
 14 **customer named Charles Nagle?**
 15 A. No.
 16 **Q. Now, looking again at who created**
 17 **this estimate, it says Myron Tachuk, is that**
 18 **--**
 19 A. Tachuk, yes.
 20 **Q. Does that Mr. -- does that mean**
 21 **that Myron was the one who opened --**
 22 A. He created the estimate, yes.
 23 **Q. Yes.**
 24 **And it says Last Corrected by**
 25 **Helena on November 19th.**
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1 **P. OREZIAK**
 2 **Do you see that?**
 3 A. Yes.
 4 **Q. And who is Helena?**
 5 A. She's the bookkeeper in Ridgefield
 6 Park.
 7 **Q. In Ridgefield Park.**
 8 **And this is an order that was**
 9 **placed out of the South Plainfield office or**
 10 **showroom; is that correct?**
 11 A. An estimate from South Plainfield,
 12 yes.
 13 **Q. Now, flipping to the next page,**
 14 **again, this is a drawing that was provided by**
 15 **the customer?**
 16 A. Um-hum. Yes.
 17 **Q. And then the third page of this**
 18 **document, could you tell me what this is?**
 19 A. Once again, it's an invoice
 20 showing the color, the edge, installation
 21 date, total price.
 22 **Q. And then the next page, what is**
 23 **this document?**
 24 A. Once again, production print. As
 25 you could see we have no notes.

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1 **P. OREZIAK**
 2 an estimate is just to give the customer an
 3 idea of what kind of prices, you know, we can
 4 offer and so on. The work order, the customer
 5 just calls in and anybody who answers the
 6 phone can open the work order.
 7 **Q. And then the last page of this**
 8 **document appears to be a sales tax ST-8 form?**
 9 A. Yes.
 10 **Q. What is this document?**
 11 A. It's a form from the State of New
 12 Jersey basically that allows the customer to
 13 save the tax on the order.
 14 **Q. Is this a common document that you**
 15 **handle at All Granite?**
 16 A. Customers usually know about it.
 17 Sometimes they don't. It's not -- it's not
 18 that common but we do use it, yes.
 19 **Q. Now, I'll represent to you that**
 20 **I've spoken to Mr. Nagle and he informed me**
 21 **that he was assisted by you during this**
 22 **purchase.**
 23 **Do you have any specific**
 24 **recollection of helping Mr. Nagle?**
 25 A. No.

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1 **P. OREZIAK**
 2 **Q. And the next page?**
 3 A. A layout once again from Paul, the
 4 technician who came out and measured.
 5 **Q. And, again, there's some notes in**
 6 **Polish here. Could you tell me what those**
 7 **say?**
 8 A. The customer wants the sink cutout
 9 and that we have the sample.
 10 **Q. We have the what? The sample?**
 11 A. The sample. Sometimes we bring
 12 the sample back just to confirm.
 13 **Q. And then the next -- the next page**
 14 **is a work order; is that correct?**
 15 A. Yes.
 16 **Q. And then this is -- appears to**
 17 **have been created by Peter Bucko. Do you see**
 18 **that?**
 19 A. Yes.
 20 **Q. And would that -- does it have any**
 21 **significance that Mr. Bucko created this**
 22 **document as opposed to the estimate that was**
 23 **created by Myron?**
 24 A. Anybody can create it. Usually
 25 it's actually two different people. Because

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1 **P. OREZIAK**
 2 **Q. I'll further represent that Mr.**
 3 **Nagle informed me that he was concerned about**
 4 **the height of his -- or the depth of the sink**
 5 **that would be installed and asked you**
 6 **specifically with respect to that issue who**
 7 **the manufacturer of the sink was.**
 8 **Do you have any recollection of**
 9 **that?**
 10 A. No.
 11 **Q. Mr. Nagle also told me that he,**
 12 **while on the way to view some of the slabs,**
 13 **picked up a sink that was sitting in the**
 14 **inventory area.**
 15 **Do you recall a customer ever**
 16 **doing that?**
 17 A. No, I don't recall.
 18 **Q. I show you what's been previously**
 19 **marked as Plaintiff's Exhibit 2.**
 20 **Mr. Oreziak, could you tell me if**
 21 **you've ever seen this document before?**
 22 A. Yes.
 23 **Q. And what is this document?**
 24 A. A memorandum. Robert told me to
 25 make sure it's hanged on the wall in the

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1 P. OREZIAK
 2 office, the showroom. That's it.
 3 Q. So is this now hanging on the wall
 4 in the showroom?
 5 A. In the lunch room, actually.
 6 Where the employees are.
 7 Q. Was this document also given to
 8 the salespeople at South Plainfield?
 9 A. I believe so, yes.
 10 Q. Were you responsible for giving it
 11 to them or was someone else, if you know?
 12 A. I took a day off actually on
 13 Tuesday when Robert provided us with this
 14 form.
 15 Q. And so when did you first receive
 16 this form?
 17 A. On the Wednesday when I came back
 18 to work.
 19 Q. And, to your knowledge, all the
 20 other salespeople received it as well?
 21 A. Yes.
 22 Q. Do you know if any specific
 23 instruction was given with respect to this
 24 memo when it was given out to the salespeople?
 25 A. Just to read it and just hang it

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1 P. OREZIAK
 2 on the wall.
 3 Q. Do you know if all salespeople
 4 have read this memo?
 5 A. Yes.
 6 Q. And have they all?
 7 A. They have, yes.
 8 Q. You've confirmed that with each of
 9 them?
 10 A. Yes.
 11 Q. Do you know if a similar memo was
 12 distributed in the Ridgefield Park showroom?
 13 A. I don't know.
 14 Q. Do you know if a similar memo was
 15 on display at the Ridgefield Park showroom?
 16 A. Don't know.
 17 Q. How about Stroudsburg?
 18 A. Don't know.
 19 Q. Do you know if there's any
 20 additional information provided to All Granite
 21 salespeople in South Plainfield in connection
 22 with this memo?
 23 A. No.
 24 Q. You don't know or --
 25 A. I don't know.

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1 P. OREZIAK
 2 Q. Do you know if All Granite and
 3 specifically the South Plainfield location has
 4 continued to install kitchen sinks since
 5 January 11, 2008?
 6 A. Yes. We install sinks.
 7 Q. You continue to install sinks.
 8 A. Um-hum.
 9 Q. Has there been any stoppage with
 10 respect to the installation of these sinks?
 11 A. I don't think so.
 12 Q. Are you aware if there was any
 13 change to the design to any of the sinks that
 14 All Granite has installed since January 11,
 15 2008?
 16 A. I don't know.
 17 MR. MALTBIIE: Let's take a
 18 five-minute break.
 19 MR. CHIODO: Sure.
 20 (Recess taken.)
 21 (Plaintiff's Exhibit 9, document
 22 bearing production numbers AGM 151
 23 through AGM 161, marked for
 24 identification as of this date.)
 25

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1 P. OREZIAK
 2 BY MR. MALTBIIE:
 3 Q. Showing you what's been marked as
 4 Plaintiff's Exhibit 9, a document Bates
 5 stamped AGM 151 through 161.
 6 Mr. Oreziak, if you could take a
 7 look at what's been marked as Plaintiff's
 8 Exhibit 9 and could you tell me what the first
 9 page of this document is?
 10 A. Once again, standard printout
 11 showing the estimate for the customer.
 12 Q. If you look at the Created By
 13 entry on this document its says Chris Oreziak.
 14 Is that you?
 15 A. That's my brother.
 16 Q. That's your brother.
 17 A. My younger brother, yes.
 18 Q. And he's also a salesman at All
 19 Granite?
 20 A. In Ridgefield Park, yes.
 21 Q. In Ridgefield Park. So this is a
 22 Ridgefield Park order, as far as you can tell?
 23 A. Yeah, um-hum.
 24 Q. Have you had any conversations
 25 with your brother with respect to this

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1 **P. OREZIAK**

2 lawsuit?

3 A. Only that we have a lawsuit with
4 Artisan. That's it.5 **Q. Did you discuss any of the**
6 **specific allegations of this lawsuit?**

7 A. No.

8 **Q. Did you discuss the use of**
9 **Artisan -- the use of the Artisan name in**
10 **connection with the promotion of sinks through**
11 **All Granite?**

12 A. No.

13 **Q. Do you know if your brother has**
14 **ever told a consumer that they would be**
15 **receiving an Artisan sink as part of their**
16 **installation?**

17 A. No.

18 **Q. You don't know or --**19 A. I don't know. I don't think he
20 would say that, no.21 **Q. And your brother is currently**
22 **employed by All Granite in Ridgefield Park?**

23 A. Part time.

24 **Q. How many days a week does he work?**

25 A. Right now I'm not quite sure on

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1 the schedule because he's still -- he still
2 goes to school.3 **Q. Okay.**4 **Are you aware of any salesperson**
5 **at All Granite in South Plainfield informing a**
6 **customer calling after the installation**
7 **regarding their sink and the salesperson**
8 **informing that customer that they received an**
9 **Artisan sink?**

10 A. No.

11 **MR. MALTBIE: No further questions**
12 **at this time.**13 **MR. CHIODO: And I have none.**
14 **(Time Noted: 11:47 a.m.)**15
16
17
18
19
20 **PIOTR "ALEX" OREZIAK**21
22 **Subscribed and sworn to before me**
23 **this ____ day of _____, 2008.**24
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1
2 **CERTIFICATE**
3 **STATE OF NEW YORK)**

4 : ss.

5 **COUNTY OF NEW YORK)**6 **I, FRANCIS X. FREDERICK, a**
7 **Notary Public within and for the State**
8 **of New York, do hereby certify:**9 **That PIOTR "ALEX" OREZIAK, the**
10 **witness whose deposition is**
11 **hereinbefore set forth, was duly sworn**
12 **by me and that such deposition is a**
13 **true record of the testimony given by**
14 **the witness.**15 **I further certify that I am not**
16 **related to any of the parties to this**
17 **action by blood or marriage, and that**
18 **I am in no way interested in the**
19 **outcome of this matter.**20 **IN WITNESS WHEREOF, I have**
21 **hereunto set my hand this 14th day of**
22 **February, 2008.**23
24 **FRANCIS X. FREDERICK**

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12 **TO BE FURNISHED: NONE**
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NAME OF CASE: ARTISAN v. ALL GRANITE
 DATE OF DEPOSITION: FEBRUARY 11, 2008
 NAME OF WITNESS: PIOTR "ALEX" OREZIAK

Reason codes:

1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.

Page _____ Line _____ Reason _____
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PIOTR "ALEX" OREZIAK

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